

OYEN WIGGS GREEN & MUTALA

INTELLECTUAL PROPERTY LAWYERS
REGISTERED PATENT AND TRADEMARK AGENTS

Gerald O.S. Dyen* Blake R. Wiggs*
 Bruce M. Green* Catherine D. Mutala*
 David J. McGuire* Thomas W. Bailey*
 Gavin N. Manning* George F. Kondor
 Hilton W. C. Sue Craig A. Ash
 Richard A. Johnson Todd A. Rautay
 * Law Corporation

480 - THE STATION
601 WEST CORDOVA STREET
VANCOUVER, B.C., CANADA
V6B 1G1

PHONE: (604) 669-3432

FAX: (604) 681-4081

owgm@patentable.com
www.patentable.com

PLEASE QUOTE
OUR FILE NO.

B564 0001

TRANSMITTAL SHEETDATE: 21 July 2007

TO: UNITED STATES PATENT & TRADEMARK OFFICE
 ATTN: Examiner: Karen E. Toth Art Unit: 3735
 RE: Serial No.: 10/616,997
 NO.: 571-273-8300

RECEIVED
CENTRAL FAX CENTER
JUL 23 2007

NO. OF PAGES INCLUDING THIS SHEET: 22

OUR FAX NUMBER IS (604) 681-4081

IF YOU DO NOT RECEIVE ALL PAGES OR IF YOU HAVE ANY
PROBLEMS, PLEASE CONTACT OUR OPERATOR AT (604) 669-3432.

OPERATOR: BMG**Please Note:**

This telescopy is directed in confidence solely to the person named above. The contents of this telescopy may be subject to solicitor-client privilege. All rights to that privilege are expressly claimed and not waived.

We are aware that occasional transmission errors occur in routing telecopied messages. If you have received this telescopy in error, please notify us immediately by telephone, and return the original transmission to us by mail, or destroy the same, without making a copy.

Thank you.

RECEIVED
CENTRAL FAX CENTER

002

JUL 23 2007

PTO/SB/21 (04-07)

Approved for use through 09/30/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

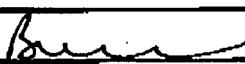
Total Number of Pages in This Submission

	Application Number	10/616,997
	Filing Date	07/11/2003
	First Named Inventor	Stephane Bibian
	Art Unit	3735
	Examiner Name	Karen E. Toth
21	Attorney Docket Number	B564 0001

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	

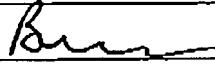
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Oyen Wiggs Green & Mutala LLP		
Signature			
Printed name	Bruce M. Green		
Date	July 21, 2007	Reg. No.	30,524

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature:



Typed or printed name

Bruce M. Green

Date July 21, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER

07/21/07 16:02 FAX 604 681 4081

OYEN WIGGS ET AL

JUL 23 2007

003

PTO/SB/17 (07-07)

Approved for use through 06/30/2010. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL
For FY 2007** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

25

Complete if Known

Application Number 10/616,997

Filing Date 07/11/2003

First Named Inventor Stephane Bibian

Examiner Name Karen E. Toth

Art Unit 3735

Attorney Docket No. B564 0001

METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order None Other (please identify): _____ Deposit Account Deposit Account Number 02-1037 Deposit Account Name: Oyen Wiggs Green & Mutala

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of fee(s) Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Small Entity

Fee (\$)

Fee (\$)

50 25

Each independent claim over 3 (including Reissues)

200 100

Multiple dependent claims

360 180

Multiple Dependent ClaimsFee (\$) Fee Paid (\$)Total Claims Extra Claims Fee (\$) Fee Paid (\$)35 - 20 or HP = 1 x 25 = 25

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)6 - 3 or HP = 0 x ... = ...

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)- 100 = / 50 = (round up to a whole number) x = Fees Paid (\$)**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 30,524	Telephone 604-669-3432
Name (Print/Type)	Bruce M. Green		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED
CENTRAL FAX CENTER
JUL 23 2007

Paper No.: _____

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Inventor(s): Stephane Bibian et al.

Title: METHOD AND APPARATUS FOR THE ESTIMATION OF
ANESTHETIC DEPTH USING WAVELET ANALYSIS OF THE
ELECTROENCEPHALogram

Serial No.: 10/616,997

Filed: 07/11/2003

Examiner: Karen E. Toth Art Unit: 3735

Date: July 21, 2007

To: Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia
22313-1450

Dear Sir:

AMENDMENT AFTER FINAL ACTION

In response to the Final Office Action mailed 05/22/2007, kindly amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 17 of this paper.

07/24/2007 NNGUYEN1 00000032 021037 10616997
01 FC:2202 25.00 DA

Page 1 of 19